

ORIGINAL



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BEFORE THE ARIZONA CORPORATION COMMISSION  
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COMMISSIONERS

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SANDRA D. KENNEDY

2011 OCT 24 P 4:13

AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

OCT 24 2011

DOCKETED BY

*mm*

IN THE MATTER OF THE  
APPLICATION OF MOHAVE  
ELECTRIC COOPERATIVE, INC.  
FOR APPROVAL OF A WASTE-TO-  
ENERGY FACILITY AS A PILOT  
PROGRAM UNDER THE  
RENEWABLE ENERGY RULES OR,  
IN THE ALTERNATIVE, FOR A  
LIMITED WAIVER

DOCKET NO. E-01750A-10-0453

MOHAVE ELECTRIC COOPERATIVE,  
INC.'S NOTICE OF FILING AFFIDAVIT OF  
PUBLICATION AND MOTION TO  
REQUIRE THE SIERRA CLUB TO PAY  
PUBLICATION COSTS

Mohave Electric Cooperative, Inc. ("MEC"), by and through its undersigned counsel, hereby files, an Affidavit of Publication evidencing that Notice in the form set forth in the September 13, 2011 Procedural Order was published in the Arizona Republic on October 3, 2011. The three calendar day (one business day) delay in publication was occasioned due to miscommunication and confusion regarding the publication requirement. The short delay has no material impact on the provision of notice to the public of a rehearing scheduled to commence November 28, 2011.

MOTION

MEC further moves the Arizona Corporation Commission to order the Sierra Club – Grand Canyon Chapter pay the \$8,478.72 in publication costs incurred to comply with the Procedural Order. A copy of the billing is attached to this Motion. It was the Sierra Club – Grand Canyon Chapter, not the Company, that requested a rehearing. Therefore, the Sierra


1 Club - Grand Canyon Chapter should be responsible for the costs of publishing notice of the  
2 rehearing it requested to be held.

3 MEC is aware that the Commission seldom awards costs or attorneys' fees  
4 incurred arising out of Commission proceedings. Here the issue is different. The issue is  
5 whether the party requesting a rehearing or the party opposing the rehearing should be  
6 responsible for the costs of publishing notice of when and where the rehearing will take place.  
7 Mohave respectfully suggests the answer is self-evident and that responsibility lies with the  
8 party requesting the rehearing.

9 WHEREFORE, MEC respectfully requests that the Sierra Club - Grand Canyon  
10 Chapter, the party requesting a rehearing of Decision No. 72500, be ordered to pay the  
11 \$8,478.72 in costs associated with publishing notice of the rehearing.

12 DATED this 24<sup>th</sup> day of October, 2011.

13 CURTIS, GOODWIN, SULLIVAN,  
14 UDALL & SCHWAB, P.L.C.

15  
16 By:   
17 William P. Sullivan  
18 501 East Thomas Road  
19 Phoenix, Arizona 85012-3205  
20 Attorneys for Mohave Electric  
21 Cooperative, Inc.  
22  
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Docket Control  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

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Copy of the foregoing mailed  
this 24<sup>th</sup> day of October, 2011 to:

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1902 pleadings MEC Compliance Publication 10 07 11

**PUBLIC NOTICE OF REHEAR -  
ING ON THE APPLICATION OF  
MOHAVE ELECTRIC COOPER -  
ATIVE, INC. FOR APPROVAL  
OF A WASTE-TO-ENERGY  
FACILITY AS A PILOT  
PROGRAM UNDER THE  
RENEWABLE ENERGY RULES  
OR, IN THE ALTERNATIVE, FOR  
A LIMITED WAIVER.  
(DOCKET NO.  
E-01750A-10-0453)**

AFFIDAVIT OF PUBLICATION

**THE ARIZONA REPUBLIC**

**Summary**

On November 5, 2010, Mohave Electric Cooperative, Inc. ("Company") filed with the Arizona Corporation Commission ("Commission") an application for approval under the Commission's renewable energy rules of a waste-to-energy facility as a pilot program pursuant to A.A.C. R14-2-1802(D) or, in the alternative, for a limited waiver pursuant to A.A.C. R14-2-1816(A).

On July 25, 2011, the Commission issued Decision No. 72500, granting the Company's application. On August 24, 2011, the Commission granted a request filed pursuant to A.R.S. § 40-253 by the Sierra Club- Grand Canyon Chapter to rehear the application. The rehearing is set to commence on November 28, 2011.

**How You Can View or Obtain a Copy of the Application and Decision**

Copies of the application and Decision No. 72500 are available from Mohave Electric Cooperative, Inc., 1999 Arena Drive, Bullhead City, Arizona; at the Commission's Docket Control Center, 1200 West Washington, Phoenix, Arizona, for public inspection during regular business hours; and at the Commission's website [www.azcc.gov](http://www.azcc.gov) using the e-Docket function, located at the bottom of the website homepage.

**Arizona Corporation Commission Public Hearing Information**

The Commission will hold a rehearing on this matter beginning **November 28, 2011, at 10:00 a.m.**, at the Commission's offices, **Hearing Room 1**, 1200 West Washington Street, Phoenix, Arizona. Public comments will be taken on the first day of the rehearing. Written public comments may be submitted by mailing a letter referencing Docket No. E-01750A-10-0453 to Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007, or by e-mail. For a form to use and instruc-

STATE OF ARIZONA  
COUNTY OF MARICOPA } SS.

Mark Gilmore, being first duly sworn, upon oath deposes and says: That he is a legal advertising representative of the Arizona Business Gazette, a newspaper of general circulation in the county of Maricopa, State of Arizona, published at Phoenix, Arizona, by Phoenix Newspapers Inc., which also publishes The Arizona Republic, and that the copy hereto attached is a true copy of the advertisement published in the said paper on the dates as indicated.

The Arizona Republic

October 3, 2011

Sworn to before me this  
3<sup>TH</sup> day of  
October A.D. 2011

ONDREA SHEPPARD  
Notary Public - Arizona  
Maricopa County  
My Comm. Expires Aug 3, 2014

*Mark Gilmore*  
*Andrea Sheppard*  
Notary Public

or by e-mail. For a form to use and instructions on how to e-mail comments to the Commission, go to <http://www.azcc.gov/Divisions/Utilities/forms/PublicCommentForm.pdf>. If you require assistance, you may contact the Consumer Services Section at 602.542.4251 or 1.800.222.7000.

**ADA/Equal Access Information**

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator, Shaylin Bernal, e-mail [sabernal@azcc.gov](mailto:sabernal@azcc.gov), voice phone number 602.542.3931. Requests should be made as early as possible to allow time to arrange the accommodation.

**azcentral.com**  
A GANNETT NEWSPAPER

## Account Number

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**Invoice #**

M27676047630101

Statement Date

10/03/11

**Please Pay This Amount**

**\$ 8,478.72**

**DUE UPON RECEIPT**

### Make Checks Payable To

The Arizona Republic  
PO Box 677595  
Dallas, TX 75267-7595

CURTIS, GOODWIN, SULLIVAN, UDA  
501 EAST THOMAS ROAD  
PHOENIX, AZ US 85012

### For Billing Info

In Phoenix call: 602 444-8561  
Out of Phoenix call: 800 331-9304

Y1GLA850130000

## AD CHARGES

AD CHARGES								
<u>Pub Date</u>	<u>Description</u>	<u>Class Category</u>	<u>Class</u>	<u>Units</u>	<u>Times Run</u>	<u>Billed Units</u>	<u>Rate</u>	<u>Amount</u>
Standard Invoice (PO# 1902)								
10/03	Classified - Daily	Public Notices	6830	192.00	1	192	44.16	8,478.72
Total Invoice Charges								8,478.72
Total Amount Due								8,478.72

**TO ENSURE PROPER CREDIT RETURN BOTTOM PORTION OF THIS BILL WITH YOUR PAYMENT**



Customer Name

CURTIS, GOODWIN, SULLIVAN, UDA

Statement Date

10/03/11

Statement #

16913882

Account Number

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### Credit Card Payment Options

Credit Card Number    ☐ MasterCard    ☐ Visa    ☐ Discover

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Signature: \_\_\_\_\_

Exp Date (mm-yy)

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Dallas, TX 75267-7595

DUE UPON RECEIPT

Amount Due

\$ 8,478.72

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